

**Below is the Order of the Court.**



A handwritten signature in black ink that reads "CM Alston".

**Christopher M. Alston  
U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

10                   **UNITED STATES BANKRUPTCY COURT**  
11                   **WESTERN DISTRICT OF WASHINGTON**  
12                   **AT SEATTLE**

13                   In re:

14                   NORTHWEST TERRITORIAL MINT, LLC,

15                   Debtor.

16                   Case No. 16-11767-CMA

17                   **ORDER APPROVING MOTION TO**  
18                   **APPROVE (I) DEADLINE TO ASSERT**  
19                   **CLAIMS WITH RESPECT TO**  
20                   **OWNERSHIP OF NWTM COINING**  
21                   **DIES; AND (II) SETTLEMENT**  
22                   **PROTOCOL TO RESOLVE CLAIMS**  
23                   **TO OWNERSHIP OF NWTM DIES**

24                   THIS MATTER comes before the Court upon the Trustee's Motion to Approve (I) Deadline to Assert Claims with Respect to Ownership of NWTM Coining Dies; and (II) Settlement Protocol to Resolve Claims to Ownership of NWTM Dies (the "Motion")<sup>1</sup>. The Court having considered the Motion, the accompanying declarations, and objections and replies, and having heard the argument of counsel, if any, and having found that approval of the Settlement Protocol is in the best interest of the estate and customers claiming an interest in NWTM Dies, NOW, THEREFORE, it is

25                   **ORDERED** as follows:

26                   

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<sup>1</sup> Unless specifically defined, capitalized terms used herein shall have the meanings given to them in the Motion.

ORDER APPROVING MOTION TO APPROVE (I) DEADLINE  
TO ASSERT CLAIMS WITH RESPECT TO OWNERSHIP OF  
NWTM COINING DIES; AND (II) SETTLEMENT PROTOCOL  
TO RESOLVE CLAIMS TO OWNERSHIP OF NWTM DIES - 1  
501159166 v6

K&L GATES LLP  
925 FOURTH AVENUE  
SUITE 2900  
SEATTLE, WASHINGTON 98104-1158  
TELEPHONE: (206) 623-7580  
FACSIMILE: (206) 623-7022

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2       1. The Trustee is authorized, without further court order to settle all disputes regarding  
3 ownership of NWTM Dies on terms acceptable to the Trustee and to transfer dies, plasters, galvanos  
4 and associated artwork to customers in connection with any such settlements;

5       2. The Trustee shall mail copies of the Settlement Notice in the form attached hereto as  
6 Exhibit A to all Custom Customers that have been identified by the Trustee from existing company  
7 records, and, to the extent possible, will provide notice through the American Numismatic  
8 Association, the National Sculpture Society, Coin World and the American Numismatic Society;

9       3. The Settlement Notice shall be posted on NWTM's websites;

10      4. The Trustee shall publish the Settlement Notice in a prominent trade publication once  
11 a week for three (3) consecutive weeks which may include any of the organizations listed above;

12      5. Any claim of a party, other than the bankruptcy estate of NWTM, to ownership of an  
13 NWTM Die shall be deemed waived and fully extinguished unless on or before June 21, 2018, such  
14 party has contacted the Trustee in writing, asserted an interest in an NWTM Die, and provided such  
15 party's evidence of such interest to the Trustee.

16      6. An omnibus hearing will be held on July 17, 2018 at 9:30 a.m., to address claims of  
17 interests in or ownership of NWTM Dies of any party that has timely asserted its interest in NWTM  
18 Dies and has not settled with the Trustee prior to such hearing ("Non-Settling Die Customers") and  
19 to schedule a subsequent evidentiary hearing. Non-Settling Die Customers who waive requirements  
20 of an adversary proceeding will be entitled to participate in the subsequent evidentiary proceeding  
21 without the need for payment of a filing fee or compliance with adversary proceeding rules.

22      7. By July 3, 2018, the Trustee shall file a list with the names, address, and phone  
23 number of each party that has asserted an ownership interest in a NWTM Die to the extent the  
24 Trustee has not settled that party's claim prior to that date.

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26 ORDER APPROVING MOTION TO APPROVE (I) DEADLINE  
TO ASSERT CLAIMS WITH RESPECT TO OWNERSHIP OF  
NWTM COINING DIES; AND (II) SETTLEMENT PROTOCOL  
TO RESOLVE CLAIMS TO OWNERSHIP OF NWTM DIES - 2  
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8. The Trustee is authorized to use the form attached hereto as Exhibit B to allow parties to assert an interest in NWTM Dies via a web portal.

///END OF ORDER///

Presented by:

K&L GATES LLP

/s/ David C. Neu

Michael J. Gearin, WSBA #20982

David C. Neu, WSBA #33143

Brian T. Peterson, WSBA #42088

Attorneys for Mark Calvert, Chapter 11 Trustee

Approved as to entry:

KAPLAN LAW PLLC

/s/ Michelle Kaplan

**Michelle Kaplan, WSBA # 27286**

Attorneys for Interested Parties American Numismatic Association, et al.

## THE LAW OFFICES OF LANCE L. LEE

*/s/ Lance L. Lee*

Lance L. Lee, WSBA # 26518

Lance E. Lee, WSBA # 26518  
Attorneys for Nevada Northern Railway Foundation

ORDER APPROVING MOTION TO APPROVE (I) DEADLINE TO ASSERT CLAIMS WITH RESPECT TO OWNERSHIP OF NWTM COINING DIES; AND (II) SETTLEMENT PROTOCOL TO RESOLVE CLAIMS TO OWNERSHIP OF NWTM DIES - 3  
501159166 v6

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# **EXHIBIT A**

**Below is the Order of the Court.**

**NOTICE OF PROTOCOL REGARDING CLAIMS OF OWNERSHIP OF NORTHWEST  
TERRITORIAL MINT COINING DIES AND ASSOCIATED MATERIALS AND DEADLINE  
TO ASSERT INTEREST IN OR OWNERSHIP OF COINING DIES**

PLEASE TAKE NOTICE that on April 1, 2016, Northwest Territorial Mint, LLC (“NWTM”) filed a petition for bankruptcy relief under Chapter 11 of the United States Bankruptcy Code under Case No. 16-11767-CMA. On April 11, 2016, the United States Bankruptcy Court for the Western District of Washington appointed Mark Calvert as the Chapter 11 Trustee (the “Trustee”) over NWTM.

PLEASE TAKE FURTHER NOTICE that NWTM operated a custom minting business whereby customers would contract with NWTM to produce coins and medallions bearing specific designs. In order to produce these coins and medallions, NWTM created custom coining dies (each, together with any associated materials such as plasters, galvanos, and artwork, a “NWTM Die”) to press the coin or medallion using the artwork provided by the customer.

PLEASE TAKE FURTHER NOTICE that based upon his investigation of the records of NWTM and the historical business practices of the business, the Trustee believes that with limited exceptions, NWTM retained ownership of all NWTM Dies created to produce coins, medallions, or other products for customers. The Trustee understands that some NWTM customers may assert ownership of a NWTM Die. It is the intent of the Trustee to sell the NWTM Dies, subject to court approval, to a buyer capable of preserving the NWTM Dies and producing coins, medallions or other products at the request of the customer.

Further, NWTM maintains some associated material related to some die, which may include bas-relief sculptures, trim tools and a sample strike, or specimen, of a struck coin or medal.

PLEASE TAKE FURTHER NOTICE that if you assert an interest in or ownership of a NWTM Die or associated materials you must, by June 21, 2018 (the “Die Claim Deadline”) contact the Trustee in writing and assert an interest in or ownership of a NWTM Die by filling out a request for die form at [www.dierequest.nwtmint.com](http://www.dierequest.nwtmint.com) and must further provide any evidence in support of your claims of interest or ownership or contact the Trustee in writing at:

c/o Denise Lentz  
K&L Gates LLP  
925 Fourth Ave., Suite 2900  
Seattle, WA 98104

Customers asserting an interest in a NWTM Die will need to provide information establishing their association with specific dies such as a copy of a sales quote, order, invoice, written communication, or other information sufficient to establish the association with a specific die.

PLEASE TAKE FURTHER NOTICE that the United States Bankruptcy Court has authorized the Trustee to settle customer claims of an interest in or ownership of a NWTM Die and to

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transfer dies, galvanos and associated artwork to customers in connection with any such settlements.

**It is important to note that this Notice only relates to dies manufactured by Northwest Territorial Mint. Dies manufactured by the Medallic Art Company (“MACO”), a separate division of NWTM are not subject to this notice.** The MACO division of NWTM generally created medallions in excess of 2” in diameter. Each die created by NWTM or MACO is assigned a die number, which can be found on the invoice issued when you purchased product from NWTM and MACO which required the creation of a die. NWTM die numbers begin with a numerical value, while MACO die numbers begin with a letter.

Please take further notice that if you timely assert an ownership interest in a NWTM Die but do not reach a settlement with the Trustee, a hearing will be held on July 17, 2018, at 9:30 a.m., before the Honorable Christopher M. Alston, United States Bankruptcy Judge, 700 Stewart St., Seattle, WA 98101 (the “Initial Omnibus Hearing”). You may attend the Initial Omnibus hearing in person or by telephone. A call in number and further guidance on the Initial Omnibus Hearing will be provided at a later date.

**Please take further notice that if you believe you hold an interest in or own an NWTM Die, but you fail to assert your interest or ownership by the Die Claim Deadline, your claimed interest in or ownership of the NWTM Die will be deemed waived and extinguished, and the NWTM Dies will be deemed to be property of NWTM’s bankruptcy estate.** Each recipient of this notice is personally responsible for reviewing this notice and timely asserting an interest in a die and should not rely upon their respective agents and attorneys to meet the deadlines specified in this notice.

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# **EXHIBIT B**

**Below is the Order of the Court.**

**Personal Info**

First Name  Last Name

Address

Address 2

City

State

Zip

Country

Email

Phone

**Company Info**

Company Name

Address

Address 2

City

State

Zip

Country

**Die Information**

Number of Dies Requesting

Proof of Ownership (PDF, JPG)

No file chosen

**Additional Info**

Comment